

people, who have surrendered in Afghanistan, are suffering at the hands of the coalition forces, how they are being killed when they are lying in the streets. This is against the law of war. This is against the Geneva Convention on treatment of prisoners. Will the Prime Minister urge all the concerned to observe the law of war and civilized behaviour, which the coalition is talking about?

श्री अटल बिहारी वाजपेयी : जो सुझाव दिया गया है, वह तो अच्छा सुझाव है। इसी को लेकर हम बातचीत करते रहे हैं, अफगानिस्तान में जो भी पक्ष हैं उनके साथ। लेकिन इस संबंध में परिणाम अभी तक अच्छे नहीं आए हैं। हमारा प्रयास जारी रहेगा।

SHRI EDUARDO FALEIRO (Goa) : Sir, my question has not been answered.

SHRI SANGH PRIYA GAUTAM (Uttaranchal) : He has already answered.

SHRI EDUARDO FALEIRO: All right. Thank you. ...*(interruptions)*...

SHRI JIBON ROY: Sir, I want to make one submission.

MR. CHAIRMAN: I have already identified Mr. Suresh Pachouri.

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### QUESTION OF PRIVILEGE

श्री सुरेश पक्षीरी (मध्य प्रदेश): आदरणीय सभापति महोदय, मैंने रूल - 188 के तहत एक नोटिस दिया है जिसमें वित्त मंत्री जी ने इस सदन को 1 अगस्त, 2001 में जो अपना मंतव्य दिया था, उससे संबंधित है। विभिन्न समाचारपत्रों में जो समाचार प्रकाशित हुए हैं, चाहे वह बिजिनेस स्टैंडर्ड में 4-5 अगस्त का हो, चाहे वह स्टेट्समैन में 11 नवम्बर, 2001 का हो और उसी स्टेट्समैन में वित्त मंत्री जी का पत्र हो, जो 21 नवम्बर, 2001 को प्रकाशित हुआ, उससे संबंधित है। मान्यवर, माननीय मंत्री जी ने यह कहा है कि यूएस-64 के बेस प्राइस सस्पेंड और री-प्रोसेज के संबंध में जो निर्णय हुआ, उसकी जानकारी उनको नहीं थी जबकि समाचारपत्रों में

1.00 P.M.

छपे समाचारों के अनुसार वित्त मंत्री जी को इस बात की जानकारी उपलब्ध थी, ऐसी बातें समाचारपत्रों, यूटीआई के पूर्व चेयरमैन सुब्रह्मण्यम, पूर्व वित्त सचिव श्री अजीत कुमार के हवाले से समाचार छपे हैं। उसमें उनको बताया गया है। हम ऐसा मानकर चलते हैं कि माननीय वित्त मंत्री जी ने जानबूझकर सदन को गुमराह करने का प्रयास किया है, चेष्टा की है और सदन को वास्तविकता से परे रखा है, वस्तुस्थिति से अवगत नहीं कराया है। मान्यवर, मैं ऐसा मानकर चलता हूँ कि जब भी सदन में वस्तुस्थिति से अवगत नहीं कराया जाए और बिल्कुल मिसलीडिंग स्टेटमेंट दी जाए तो खुद मान्यवर राज्य सभा के समापति महोदय के इस संबंध में डायरेक्शन्स हैं। जो राज्य सभा की डिबेट 8 अगस्त, 1980, कालम 263 से 270 तक प्रकाशित हैं कि जब इस प्रकार के वक्तव्य किसी भी मंत्री द्वारा दिए जाते हैं तो ब्रीच आफ प्रीविलेज की परिधि के अंतर्गत आते हैं। इसलिए मैं ऐसा मानकर चलता हूँ कि माननीय वित्त मंत्री जी ने 1-2 अगस्त को जो इस प्रकार का वक्तव्य दिया, वह ब्रीच आफ प्रीविलेज की परिधि में आता है। इसलिए मैं आपसे विनम्रतापूर्वक अनुरोध करता हूँ कि मैंने जो पत्र रूल-188 के अंतर्गत आपको दिया है, तो माननीय वित्त मंत्री जी के इस वक्तव्य को ब्रीच आफ प्रीविलेज की परिधि में लें और इसको प्रीविलेज कमेटी के सामने प्रस्तुत किया जाए। ऐसा मेरा आपसे अनुरोध है। मैं ऐसा इसलिए कह रहा हूँ कि 21 नवम्बर को माननीय वित्त मंत्री जी ने जो अपना खंडन दिया है उसमें दो बातें कही हैं, इससे भी ब्रीच आफ प्रीविलेज बनता है। वह इसलिए बनता है क्योंकि खुद राज्य सभा के चेयरमैन के इस समय ऐसे डायरेक्शन्स हैं। 1 मार्च, 1988 को अगर कोई ज्वाइंट पार्लियामेंटरी कमेटी.....

MR. CHAIRMAN: Mr. Suresh Pachouri, you need not go into the details. I will look into it.

SHRI SURESH PACHOURI: Thank you, Sir.

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Sir, I would like to say a few words on this. Certain newspapers have reported the extracts of the statement supposedly made by the Finance Secretary before the Joint Parliamentary Committee, which is inquiring into the goings-on in the stock market.

Now, as far as I know the rules, anything that takes place before a Joint Parliamentary Committee remains absolutely confidential till the Report of the Committee is placed on the Table of the House. When the first such report appeared in a newspaper called the ASIAN AGE, I was

completely taken by surprise that they should be quoting from the deposition of the Finance Secretary before the JPC, and, being aware of the rules, that this was an utter breach of privilege of the Parliament, I have already personally filed a Notice of Privilege against that newspaper, with the Speaker of the Lok Sabha. Then THE STATESMAN carried a news item well before Parliament assembled on the 19<sup>th</sup> of this month. I sent them a letter a couple of days later, hoping that the letter would be published before the Parliament assembled. But the letter was published by that newspaper, with considerable delay; it was published when Parliament had assembled, as the hon. Member has said, on the 21<sup>st</sup> of this month. Now, the point I would like to make is that I have no access to the evidence given by the Finance Secretary to the JPC. It is confidential even from me. I have made no attempt...*(Interruptions)*... Don't laugh. You may do it. ...*(Interruptions)*... I will not. ...*(Interruptions)*...

SHRI EDUARDO FALEIRO (Goa) : You are using confidentiality too far. ...*(Interruptions)*... You are using confidentiality to shut the truth. ...*(Interruptions)*...

SHRI YASHWANT SINHA: The Finance Secretary has given his statement before the JPC. I am not privy to that statement because that is the property of the JPC. But the extracts from that deposition have been published in the newspaper. I have said, and I would like to repeat with all the confidence at my command, that there is no contradiction between what the Finance Secretary has said and what I have said in this House. In fact, the House will recall, and you will also recall, Sir, that during the Question Hour, on the very first day or the second day when the House assembled, in the last session, Shri Pranab Mukherjee asked me a question which offered me the opportunity to give a detailed reply; when the Chairman of the UTI met me and in what circumstances the Chairman met me; how the letter of 30<sup>th</sup> June was brought to my notice on the 2<sup>nd</sup> of July; and there is absolutely no contradiction between what the Finance Secretary has stated and what I have said in this House. Therefore, there is absolutely no merit in the charge which is being levelled by the hon. Member of contradiction or that I have misled the House. When you give me an opportunity to reply to the Notice of Privilege, I will put all the facts before this House. But let me say, once again, that I have myself reported the matter to the Speaker of the Lok Sabha for breach of privilege on this issue.

SHRI PRANAB MUKHERJEE (West Bengal) : As the hon. Finance Minister has very correctly pointed out, the evidence placed before a Parliamentary Committee should be treated as confidential till that Committee submits its report to both the Houses. There is no dispute on that. But what strikes me is this. If the hon. Minister is not aware of what Mr. Ajit Kumar gave as evidence, stated as evidence, before the Committee, how can he say that there is no contradiction between what Mr. Ajit Kumar has stated before the Committee and what he has stated on the floor of the House?

SHRI YASHWANT SINHA: Sir, I have already clarified that the extract of that deposition, the evidence given by the then Finance Secretary, was published in THE STATESMAN. I am basing what I am saying on that; on that basis, I am saying that. If that evidence is correct, there is no contradiction.

SHRI PRANAB MUKHERJEE: Then you add, "if that evidence is correct". You have not said that.

SHRI YASHWANT SINHA: No, no. I have already said that. It is on the record.

SHRI PRANAB MUKHERJEE: Sir, I am not going into the merits of it. But, surely, this is a matter which should be discussed.

SHRI YASHWANT SINHA: You can check the record.

श्री सुरेश पट्टीरी : समापति महोदय, खुद वित्त मंत्री जी ने अपने पत्र में कहा है कि "there is nothing in the deposition of Ajit Kumar". How does he know what is there in the deposition of Ajit Kumar?

SHRI YASHWANT SINHA: It was published in the newspaper. ...*(Interruptions)*...

श्री सुरेश पट्टीरी : फिर आगे लिखते हैं कि, "This is factually incorrect and is not borne out by the evidence of Shri Ajit Kumar before the JPC". ...*(Interruptions)*...

SHRI YASHWANT SINHA: I have also said that I am not privy to that deposition. ...*(Interruptions)*... I am not privy to that deposition. ...*(Interruptions)*...

2.00 P.M.

श्री सुरेश पचौरी : पहली बात तो यह है कि आपने खुद उसकी अवहेलना की है । जो डायरेक्शन्स समापति महोदय के हैं ...*(व्यवधान)*...

श्री यशवन्त सिन्हा : हमने उसमें कहा है कि "I am not privy to that deposition". ...*(Interruptions)*...

श्री सुरेश पचौरी : जे.पी.सी. के सामने जो डायरेक्शन्स हों उन्हें कोट नहीं करना है । 21 नवम्बर को आपका जो पत्र प्रकाशित हुआ है उसमें आपने इन निर्देशों की अवहेलना की है ....*(व्यवधान)*...

श्री यशवन्त सिन्हा : आप उसे आउट ऑफ कन्टेक्स्ट कोट मत कीजिए । पचौरी जी, आप उसे एन्टायरली आउट ऑफ कन्टेक्स्ट कोट कर रहे हैं । मैंने शुरू में ही कहा है कि...*(व्यवधान)*...

MR. CHAIRMAN: You have given it to me. I will look into it. ...*(Interruptions)*.... Just a minute. I have allowed Shri Jibon Roy and Shri J. Chitharanjan to speak. Now it is 1 o'clock. When we meet at 2 o'clock, they will be the first to speak. The Special Mentions will be taken up tomorrow. The House is adjourned for lunch, till 2 o'clock.

The House then adjourned for lunch at six minutes past one of the clock.

The House re-assembled, after lunch, at one minute past two of the clock,  
[THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) in the Chair.]

### MATTERS RAISED WITH PERMISSION

#### Re. V.H.P. threat to mobilise five crores Kar Sevaks at Ayodhya

SHRI JIBON ROY (West Bengal): Mr. Vice-Chairman, Sir, in the morning, the hon. Prime Minister was speaking so eloquently about the need for combating international terrorism, and the determination of the Government to combat it. But we have been saying for long that if you do not fight the aetiology of terrorism, we will not be able to fight international terrorism.